

REMARKS

With this Response, claims 1, 12, 22, and 30 are amended. No claims are added or canceled. Therefore, claims 1-36 are pending.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 3, 4, 12, 14, 15, 22 and 30

Claims 1, 3, 4, 15, 22 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 6,175,552 of Parry et al. (hereinafter "Parry") in view of U.S. Patent Number 5,864,542 of Gupta et al. (hereinafter "Gupta"). Applicants submit that these claims are not rendered obvious by the cited references for at least the following reasons.

Of these claims, 1, 12, 22, and 30 are independent claims, and each recites features directed to **gateway network elements that terminate synchronous data transmission rings** that have **different protocols** including providing a communication path for signals between the synchronous data transmission rings and network locations external to the synchronous data transmission rings, and a management element that **natively communicates with the gateway network elements in their respective protocols**.

As Applicants have understood the references, Parry discusses a telecommunications network configured for disaster recovery, where each element in a network ring includes a multiplexer that controls the timing of communication in the ring, and Gupta discusses a system for communication between two different types of bus within a switching system that switches data from different types of access facilities. Parry fails to disclose or suggest gateway network elements as recited in Applicants' claims. The various cabinets with their multiplexers are not shown to disclose or suggest gateway network elements that terminate synchronous data transmission rings that have different protocols including providing a communication path for signals between the synchronous data transmission rings and network locations external to the synchronous data transmission rings, in contrast to what is recited in Applicants' claims. The Office Action at page 3 acknowledges that Parry also fails to disclose a management element that natively communicates with the gateway network elements in their respective protocols.

Despite what is asserted in the Office Action, Gupta fails to cure the deficiencies of Parry. The CPM (call processing module) of Gupta is disclosed as a module that converts

protocols between an Internetwork Protocol Engine (IPE) and a protocol. The IPE is disclosed as having a standard protocol, into which the CPMs translate messages that are received in other protocols. Based on the functionality of the protocol translators, they presumably can communicate in both the IPE protocol and the protocol they convert. However, there is no suggestion, whether inherently or explicitly, that the technology of the CPMs would be effective to natively communicate with two gateway network elements that terminate synchronous data transmission rings that operate according to different protocols, in contrast to Applicants' claims. Applicants submit that Gupta fails to cure the deficiency for which it is cited, at least because the reference fails to disclose or suggest native communication between two gateway network elements as recited in Applicants' claims. Furthermore, Gupta fails to cure the other defects of Parry set forth above.

Whether alone or in combination, the cited references fail to disclose or suggest at least one feature of Applicants' independent claims, and so fail to support an obviousness rejection under MPEP § 2143 of these claims. The references therefore necessarily fail to render obvious the remaining claims, which depend directly or indirectly from the independent claims discussed above.

Claims 2, 5-11, 13, 16-21, 23-29 and 31-36

These claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the Parry and Gupta and other references, or Parry and other references. More particularly, the rejections are set forth as follows:

Claims 2, 13, 23 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta, and further in view of U.S. Patent Application No. 5,097,469 of Douglas et al. (hereinafter "Douglas").

Claims 5, 6, 16, 17, 24 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta, and further in view of U.S. Patent Application No. 7,130,276 of Chen et al. (hereinafter "Chen").

Claims 7 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta and Chen, and in further view of U.S. Patent Application No. 6,631,130 of Roy et al. (hereinafter "Roy").

Claims 8, 18, 26 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta, and further in view of U.S. Patent Application No. 6,717,953 of Heuer et al. (hereinafter "Heuer").

Claims 9 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta and Heuer, and in further view of U.S. Patent Application No. 6,778,541 of Houston et al. ("Houston").

Claims 10 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta and Heuer, and in further view of U.S. Patent Application No. 6,064,674 of Doidge et al. (hereinafter "Doidge").

Claims 11, 21, 29 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta, and further in view of U.S. Patent Application No. 6,747,982 of Nakatsugawa (hereinafter "Nakatsugawa").

Claims 27 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Gupta and Heuer, and in further view of U.S. Patent Application Publication No. 2004/0136389 of Hunneyball (hereinafter "Hunneyball").

Claims 28 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry in view of Heuer, Doidge, and Hunneyball.

However, Applicants must respectfully submit that each rejection is based upon a defective combination with the primary references, shown above to fail to disclose or suggest at least one feature of the invention as recited in Applicants' independent claims. None of these references is cited as curing the deficiencies of Parry and Gupta with respect to the independent claims, as set forth above. As Applicants have understood the references, indeed, none of the references cures the deficiencies of Parry and Gupta. Whether alone or in combination, the cited references fail to disclose or suggest at least one feature of Applicants' independent claims, as set forth above, and so fail to render obvious the invention as recited in those independent claims. Because these dependent claims depend from the independent claims discussed above, these dependent claims are not rendered obvious by the cited references for at least the same reasons as the independent claims.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections are overcome, and respectfully requests that the rejections be withdrawn. Therefore, all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Date: May 21, 2008

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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: 05/21/2008

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